

Rule 31.15 Permitted practice by law students and recent graduates.

31.15(1) ~~A law student~~ Law students enrolled in a reputable law school as defined by rule 31.8 and Iowa Code section 602.10102 certified to the office of professional regulation by the dean of the school to have completed satisfactorily not less than the equivalent of three semesters of the work required by the school to qualify for the J.D. or LL.B. degree, may, under the following conditions, engage in the practice of law or appear as counsel in the trial or appellate courts of this state.

a. Appearance by students as defense counsel in a criminal matter in any trial court shall be confined to misdemeanors and the student shall be under the direct supervision of licensed Iowa counsel who shall be personally present.

b. Appearance by students in matters before the court of appeals or supreme court of Iowa shall be under the direct supervision of licensed Iowa counsel who shall be personally present.

c. Appearance or assistance by students in other matters shall be under the general supervision of licensed Iowa counsel, but such counsel need not be personally present unless required by order of the court.

31.15(2) ~~A student~~ Students who the dean of a reputable law school certifies ~~has~~ have completed not less than the equivalent of two semesters of work required to qualify for the J.D. or LL.B. degree may appear in a representative capacity in a contested case proceeding before an administrative agency.

a. Appearance by students who have completed only two semesters of work shall be under the direct supervision of licensed Iowa counsel who shall be personally present.

b. Students who have completed at least three semesters may appear in a representative capacity in a contested case proceeding before an administrative agency under the general supervision of licensed Iowa counsel, but such counsel need not be personally present unless required by order of the tribunal.

31.15(3) ~~No~~ Except as allowed by rule 31.15(4), student students may not engage in the practice of law or appear as counsel in any court of this state or before an administrative agency unless such practice or appearance is part of an educational program approved by the faculty of the student's law school and not disapproved by the ~~supreme court of the state of Iowa~~ Supreme Court, and such program is supervised by at least one member of the law school's faculty. Students may continue to practice before courts or administrative agencies of this state after completion of an educational program so long as the placement is substantially the same as it was during the educational program, approved

by the law school, and done with the supervision required under rule 31.15(1) and (2).

31.15(4) Law students may assist licensed Iowa counsel to the same extent as a non-attorney without being part of an educational program or being certified to the office of professional regulation, but the students shall be under the general supervision of licensed Iowa counsel who need not be personally present. Law students may not appear in representative capacities in contested case proceedings before administrative agencies without complying with rule 31.15(2) and (3), or before trial or appellate courts without complying with rule 31.15(1).

31.15(4)(5) ~~A student~~ Law students shall not receive compensation other than general compensation from an employer-attorney or from a law-school-administered fund.

31.15(6) Graduates of reputable law schools who have applied to take the Iowa bar examination are authorized to perform all activities described in this rule on behalf of the public defender's office, the attorney general's office, county attorney offices, or approved legal aid organizations under the following conditions:

a. Supervision of graduates shall be the same as supervision of law students under rule 31.15(1) and 31.15(2), but graduates do not need to meet the requirements of rule 31.15(3).

b. Graduates may perform under this rule beginning with the receipt of a law school dean's certification of graduation and terminating either upon the withdrawal or denial of their application to take the Iowa bar examination, their failure of the next administration of the Iowa bar examination, or upon the date of the admissions ceremony for those who pass that examination.

c. Graduates may practice up to twenty-five hours per week from receipt of a J.D. or LL.B. degree until the administration of the next Iowa bar examination.

d. Graduates are not limited in hours of practice under this rule from administration of the bar exam until the date the bar exam results are posted for those who fail or the date of the admissions ceremony for those who pass.

e. Graduates who have failed any state bar examination in the past are not eligible to practice under this provision.

f. The supervising organizations listed above shall file a certificate with the Office of Professional Regulation of the Iowa Supreme Court (OPR) listing the starting dates for all graduates practicing under rule 31.15(6) and shall file a second certificate indicating when the practice under this rule has terminated.

31.15(7) Approved Legal Aid Organization. For purposes of this rule, an “approved legal aid organization” includes a program sponsored by a bar association, law school, or a not-for-profit legal aid organization, approved by the Iowa Supreme Court, whose primary purpose is to provide legal representation to low-income persons in Iowa.

a. A legal aid organization seeking approval from the court for the purposes of this rule shall file a petition with OPR certifying that it is a not-for-profit organization and reciting with specificity the following:

(1) The structure of the organization and whether it accepts funds from its clients.

(2) The major sources of funds the organization uses.

(3) The criteria used to determine potential clients' eligibility for legal services the organization performs.

(4) The types of legal and nonlegal services the organization performs.

(5) The names of all members of the Iowa bar who are employed by the organization or who regularly perform legal work for the organization.

(6) The existence and extent of malpractice insurance that will cover the law student or graduate.

b. An organization designated as an approved legal aid organization under the provisions of rule 31.19(c) is an approved legal aid organization for purposes of this rule.